

**Posted – February 14, 2013**

**REGULAR MEETING FEBRUARY 19, 2013**

**TOWN COUNCIL OF THE TOWN OF MIDDLETOWN, RHODE ISLAND**

**The following items of business, having been filed with the Town Clerk under the Rules of the Council, will come before the Council at a regular meeting to be held on Tuesday, February 19, 2013 at 7:00 P.M. (5:30 – PLANNING BOARD INTERVIEWS; 6:30 – NAVY LAND SURPLUS PROPERTY-UPDATE) at the Middletown Town Hall, 350 East Main Road, Middletown, Rhode Island.**

**Any person not a member of the Council, desiring to address the Council concerning a matter on the docket of the Council, not the subject of a Public Hearing, shall submit a written request to the Town Clerk stating the matter upon which he desires to speak. Persons are permitted to address the Council for a period not to exceed five (5) minutes.**

**PLEDGE OF ALLEGIANCE TO THE FLAG**

**RECONSIDERATION**

**The Middletown Town Council follows the codification of present-day general parliamentary law as articulated in Robert's Rules of Order**

**Newly Revised 10th edition (2000), together with whatever rules of order the Council has adopted for its own governance. The motion to reconsider is one of the motions that can bring a question again before an assembly, and is designed to bring back for further consideration a motion which has already been voted on:**

**If, in the same session that a motion has been voted on, but no later than the same day or the next day on which a business meeting is held, new information or a changed situation makes it appear that a different result might reflect the true will of the assembly, a member who voted with the prevailing side can, by moving to Reconsider [RONR (10th ed.), p. 304-321] the vote, propose that the question shall come before the assembly again as if it had not previously been considered. (From Robert's Rules of Order Newly Revised In Brief, Robert, Evans et al., De Capo Press, 2004)**

## **5:30 P.M. – INTERVIEWS PLANNING BOARD VACANCIES**

### **1. Interviews**

**5:30 pm Interview - Betty Jane Northup-Owen**

**5:40 pm Interview - Charlene A. Rose-Cirillo**

**5:50 pm Interview - John L. Ciummo**

**6:00 pm Interview - Matthew Sullivan**

**6:10 pm Interview - Arthur J. Weber, Jr.**

**6:30 P.M. – NAVY LAND SURPLUS PROPERTY-UPDATE**

**2. Presentation by Town Administrator of Navy Land Surplus property – update, including property transfer options, estimated or defined timeline for property to be released and matters related thereto. (No documentation)**

## **PUBLIC FORUM SESSION**

**3. Pursuant to Rule 23 of the Rules of the Council, Citizens may address the town on one (1) subject only, said subject of substantive Town business, neither discussed during the regular meeting nor related to personnel or job performance. Citizens may speak for no longer than five (5) minutes and must submit a public participation form to the Council Clerk prior to the start of the meeting.**

## **PRESENTATIONS**

**4. Resolution of the Council, re: Commendation for the Middletown High School Girls Soccer Team.**

**5. Resolution of the Council, re: Commendation for the Middletown High School Boys Football Team.**

**6. Email communication of Carmela Geer, Secretary Committee for Arts, re: Recognition of winners of the Town's Beach sticker contest.**

## **CONSENT**

**7. Approval of Minutes, re: Regular Meeting, February 4, 2013.**

**8. Memorandum of Town Administrator, re: Inquiry- Accounts Receivable.**

**9. Communication of Tax Assessor, with enclosures, re: Cancellation of taxes for certain Middletown taxpayers.**

**10. Resolution of the Council, re: Cancellation of taxes for certain Middletown taxpayers.**

**11. Resolutions and Email Communications from Rhode Island Cities and Towns, re: Request support Contract Continuation - in opposition to any and all legislative proposal that would mandate expired teacher contracts must continue at the existing terms and conditions, Binding Arbitration - to oppose and reject any and all mandatory binding arbitration legislation being considered for teacher and other school employee contracts and Layoff Notification Date.**

**12. Applications three (3) from the following named persons, firms or corporations for Special Event Permits. (See Attached List)**

**13. Email communication of Vin Mesolella, Providence, RI, re: Requesting to postpone 1747 West Main Road, CCVD II public hearing to June 2013. (Public Hearing has not been advertised; abutters have not been notified of March 4, 2013 date)**

**14. Adoption of proposed budget schedule.**

## **PUBLIC HEARINGS**

**15. Public Hearing (Advertised; Abutters notified)**

**Application of McDonald's Restaurant, 288 East Main Road, for Additional Hours of Operation License for the 2012-2013 licensing year. (NEW)**

**16. Memorandum of Town Planner thru Town Administrator, re: FY2013 CDBG Application – 1st Public Hearing.**

**17. Public Hearing (Advertised)**

**Town of Middletown application for FY2013 Small Cities Community Development Block Grant (CDBG) program for a certain project, in an amount not to exceed \$300,000.**

## **ORDINANCES**

**18. An Ordinance of the Town of Middletown (First Reading)**

**An Ordinance in Amendment to the Town Code of the Town of Middletown, Title VII Traffic Code, Chapter 75, Traffic Schedules.**

**19. Memorandum of Tax Assessor, thru Town Administrator, re: Change to Middletown Ordinance 34.50.**

**20. An Ordinance of the Town of Middletown (First Reading)**

**An Ordinance in Amendment to the Town Code of the Town of Middletown, Title III Administration, Chapter 34, Taxes, Section 34.50, Exemption of Certain Non- Profit Organizations.**

**OTHER COMMUNICATION**

**21. Communication of Paul LaMond, Chair Middletown Tree Commission, re: Proposing changes in one section of the Town's Tree Ordinance.**

**TOWN COUNCIL COMMUNICATIONS**

**22. (Continued from Regular Meeting, February 4, 2013)**

**Email communication from Burrillville Town Clerk, with enclosures, re: Resolution in support of deleting the option of straight party voting by means of a single mark in non-primary elections.**

**23. Email communication of Harry L. Staley, Chairman, RI Taxpayers, West Warwick, Rhode Island, with enclosure, re: Requesting Council to pass resolution to eliminate present voting machine Master Lever in all future elections.**

**24. Memorandum of Councillor Adams, re: Elimination of Straight Party Voting in Rhode Island.**

**25. Resolution of the Council, re: In support of 2013- S0044 and 2013 – H5072 to delete the option of single party voting by means of single mark in non-primary elections.**

**26. Memorandum of Councillor Adams, re: Two Mile Corner Redesign Referral to Planning Board.**

## **TOWN ADMINISTRATOR COMMUNICATIONS**

**27. Memorandum of Finance Director, thru Town Administrator, with enclosures, re: Contract Award – Precast Concrete Restrooms at the Berkeley Peckham School.**

**28. Resolution of the Council, re: Award of contract for Precast Concrete Restrooms at the Berkeley Peckham School.**

**29. Memorandum of MPC Coordinator, re: Request to Submit STOP Grant.**

## **APPOINTMENTS TO BOARDS & COMMITTEES**

**30. Appointment of four (4) members to the Planning Board; three (3) for terms expiring February 2016 and one (1) to complete a term expiring February 2014.**

**31. Appointment of one (1) member to the Economic Development Advisory Committee for a term expiring January 2016.**

**32. Appointment of one (1) member to the Committee for the Arts for a term expiring April 2015.**

**33. Appointment of Tree Warden for the 2013 calendar year.**

**34. Email communication of Richard Price, re: Resignation from the Middletown Wind Turbine Committee.**



**Wendy J.W. Marshall, CMC**

**Town Clerk**

**This meeting location is accessible to the handicapped. Individuals requiring interpreter services for the hearing impaired should notify the Town Clerk's Office not less than 48 hours before this meeting.**